

# PATENT APPLICATION FEE DETERMINATION RECORD

Effective October 1, 2000

Application or Docket Number

10557/199332

## CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
TOTAL CLAIMS	186	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	181 minus 20=	161
INDEPENDENT CLAIMS	8 minus 3 =	5
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

\* If the difference in column 1 is less than zero, enter "0" in column 2

## CLAIMS AS AMENDED - PART II

4-14-05

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	182	181	= 1
Independent	9	8	= 1
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total			=
Independent			=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total			=
Independent			=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

SMALL ENTITY TYPE ☐

RATE	FEE
BASIC FEE	355.00
X\$ 9=	
X40=	
+135=	
TOTAL	

OR OTHER THAN SMALL ENTITY

RATE	FEE
BASIC FEE	710.00
X\$18=	2898.
X80=	400.
+270=	0
TOTAL	4008.

SMALL ENTITY TYPE ☐

RATE	ADDI-TIONAL FEE
X\$ 9=	
X40=	
+135=	
TOTAL	

OR OTHER THAN SMALL ENTITY

RATE	ADDI-TIONAL FEE
X\$18=	50
X80=	200
+270=	
TOTAL	250

RATE	ADDI-TIONAL FEE
X\$ 9=	
X40=	
+135=	
TOTAL	

RATE	ADDI-TIONAL FEE
X\$18=	
X80=	
+270=	
TOTAL	

RATE	ADDI-TIONAL FEE
X\$ 9=	
X40=	
+135=	
TOTAL	

RATE	ADDI-TIONAL FEE
X\$18=	
X80=	
+270=	
TOTAL	

- \* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
- \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."
- \*\*\*If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

Patents

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APR 14 2005

APPLICANTS: Brian W. McKinnon

SERIAL NO.: 09/808,228

GROUP ART UNIT: 3738

FILED: March 14, 2001

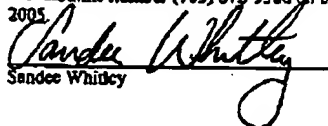
EXAMINER: Barrett, Thomas C.

FOR: VARIABLE GEOMETRY RIM SURFACE ACETABULAR  
SHELL LINER

ATTORNEY DOCKET NO.: 10557/199332

DATE: April 14, 2005

## CERTIFICATE OF MAILING

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450I hereby certify that this document, together with any document  
referred to as enclosed or attached, is being forwarded to the  
Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313,  
via facsimile number (703) 872-9306 on this 14th day of April,  
2005.  
Sandee Whitley

## AMENDMENT AND RESPONSE

Sir:

In response to the Office Action of December 14, 2004, please amend the  
above-identified application as follows:Amendments to the Claims are reflected in the listing of claims that begins on page 2 of  
this paper.

Remarks/Arguments begin on page 35 of this paper.

ATL12801 1054615.1

PAGE 3/43 \* RCVD AT 4/14/2005 2:16:48 PM [Eastern Daylight Time] \* SVR:USPTO-EFAXF-114 \* DNIS:8729306 \* CSID:404 815 6555 \* DURATION (mm:ss):11:32

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#### IV. 35 USC § 103

The Examiner has also rejected claims 102, 122 and 125 under 35 U.S.C. § 103(a) as being unpatentable over the S&N reference discussed above. The Examiner's position is that the reference discloses a prosthetic device comprising an acetabular shell an acetabular liner medially shifted (Fig. 4), but that it fails to disclose the liner shifted medially specifically up to 8 mm. Because claim 102 is not anticipated or rendered obvious by this S&N reference, any claim depending therefrom should also be considered patentable for at least the above-discussed reasons. Accordingly, this rejection should be withdrawn.

#### CONCLUSION

For at least the above reasons, Applicant respectfully requests allowance of claims 102-110, 116-130, 135, 138-139, 143, and new claim 182 and issuance of a patent containing these claims in due course. If there remain any additional issues to be addressed, the Examiner is urged to contact the undersigned attorney at 404.815.6147.

Respectfully submitted,

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ATLANTA 19246153

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### PETITION FOR EXTENSION OF TIME

Pursuant to 37 C.F.R. 1.136(a), Applicant herewith petitions that the period for response to the Office Action dated December 14, 2004, in connection with the above-identified application be extended for one (1) month, to and including April 14, 2004. A credit card authorization for the fee for this petition is attached. The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Order Account No. 11-0855.

Respectfully submitted,

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ATTORNEY 1974615.1